

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Karen Voneschen,

Civil No. 04-5128 (RHK/RLE)

Plaintiff,

vs.

**ORDER DISMISSING PLAINTIFF'S
COMMON LAW FRAUD, FALSE
ADVERTISING, CONSUMER FRAUD,
AND DECEPTIVE TRADE PRACTICE
CLAIMS WITH PREJUDICE**

Biomet, Inc., John Doe Companies,

Defendants.

It is hereby **ORDERED**, based on the Stipulation, that the Seventh and Eighth Causes of Action in Plaintiff's Complaint, including Plaintiff's claims for common law fraud and for violation of the False Advertising Act, Minn. Stat. § 325F.67, Consumer Fraud Act, Minn. Stat. § 325F.69, and Deceptive Trade Practices Act, Minn. Stat. § 325D.44, shall be and hereby are dismissed in their entirety, with prejudice, and on the merits.

Dated: May 10, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge